

In early times among the English the great foot ball festival of the year was Shrove-Tuesday—though why Shrove-Tuesday, heaven only knows, unless there was supposed to be some resemblance between the state of some of the players after the scrimmage and the pancakes they had eaten at dinner on that day. Chitty (2 Chit. Crim. La., 494) gives an indictment drawn in the year 1797, by a very eminent pleader, for the purpose of suppressing the ancient custom of kicking about foot-balls on Shrove-Tuesday at Kingston-upon-Thames. We give it in the hope that some of our Canadian officials will have the courage to prefer a similar one against players in our towns. "Surrey.—That A. S. B., late of, etc. (and other defendants), together with divers other evil disposed persons to the jurors aforesaid unknown, being rioters, ruters and disturbers of the peace of our said Lord the King, on, etc., with force of arms, at the town, etc., unlawfully, riotously, and routously did assemble and meet together to disturb the peace of our said Lord the King, and being so assembled and met together, did then and there unlawfully, riotously kick, cast and throw a certain foot-ball in and about the said town, and then and there wilfully, riotously, routously made a great noise, riot, disturbance and affray therein, in contempt, etc., to the evil example, etc., and against the peace, etc. And the jurors, etc., do further present, that the said defendants, together with divers other evil-disposed persons to the jurors aforesaid as yet unknown, on the said, etc., with force and arms, at, etc., did unlawfully assemble and met together, and being so assembled and met together did then and there wilfully kick and cast and throw a certain foot-ball in and about the said town, near the dwelling-houses of divers liege subjects of our said Lord the King, and also in divers streets and common highways there, to the great damage and common nuisance of all the liege subjects of our said Lord the King, residing in the said dwelling-houses and passing and repassing in and along the said streets and highways, to the evil example, etc., and against the peace, etc." These fellows evidently played according to the Rugby rules.

R.

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COMMENTS ON CURRENT ENGLISH DECISIONS.

We continue the Law Reports for September comprised in 23 Q.B.D., pp. 261-372 and 42 Chy.D., pp. 1-92.

APPOINTMENT IN FRAUD OF POWER—POLICY OF ASSURANCE—MEASURE OF LIABILITY OF APPOINTOR—  
CRESTUI QUE TRUST JOINING IN BREACH OF TRUST.

*In re Deane, Bridger v. Deane*, 42 Chy.D., 9, is a decision of the Court of Appeal (Lord Esher, M.R., Cotton and Fry, L.JJ.) on appeal from Kekewich, J. The facts of the case were, that a sum of stock was settled in 1834 upon trust to keep up a policy of assurance on the life of J. B. Deane, and subject thereto upon trust for him for life, and after his decease the fund and the moneys payable under the policy were to be held in trust for his three children, or such one or more of them and in such shares and proportions as Deane should by